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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,383	07/02/2001	Sachin G. Deshpande	SLA1068	8469

27518 7590 10/14/2004

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/897,383

Applicant(s)

DESHPANDE ET AL.

Examiner

Liang-che Alex Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/02/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-24 have been examined

#### ***Paper Submitted***

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 07/02/2001 is considered.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Guedalia, US Patent Number 6,356,283, hereinafter Guedalia.

5. Referring to claim 1, Guedalia has taught, a method for image transmission, said method comprising the steps of:
  - a. hosting an image file on a server (Col 20 lines 27-29, Figure 1);
  - b. transmitting a part of said image file to a client interface (Col 20 lines 29-31, step 70 Figure 4);
  - c. selecting a customization of said image through said client interface (Col 3 lines 56-60, Col 20 lines 31-46, steps 72-80 in Figure 4); and
  - d. transmitting said customization of said image to said client (Col 20 lines 46-48, steps 84-86).
6. Referring to claim 2, Guedalia has further taught wherein additional parts of said image are transmitted while said selecting occurs (steps 72-86, Figure 4).
7. Referring to claim 3, Guedalia has further taught wherein at least one part of said image is cached by said client (Figure 4, step 92, and Figure 1, item 40).
8. Referring to claim 4, Guedalia has further taught wherein said transmission uses Hyper Text Transfer Protocol (HTTP) (Col 2 lines 30-46).
9. Referring to claim 5, Guedalia has further taught wherein said server is a web server (item 10 in Figure 1).
10. Referring to claim 6, Guedalia has further taught wherein said part of said image file is a low-resolution version of said image (Col 16 lines 35-44).
11. Referring to claim 7, Guedalia has further taught wherein said client interface promotes a user for image customization data (Col 3 lines 58-60, Col 20 lines 31-48, steps 72-86).

12. Referring to claim 8, Guedalia has further taught wherein said selecting a customization comprises selecting data from the group consisting of quality data (Col 16 lines 34-44, resolution), scalability data (Col 16 lines 45-51, zooming), resolution data (Col 16 lines 34-44, resolution) and region-of-interest (ROI) data (Figure 2).
13. Referring to claim 9, wherein selecting a customization comprises displaying a thumbnail image to a user and allowing a user to select customization characteristics by interaction with said thumbnail image (Col 16 lines 34-51, image data with smaller size and lower resolution is viewed as a thumbnail image).
14. Referring to claim 10, Guedalia has further taught wherein said image file is a JPEG 2000 file (Col 4 lines 23-26).
15. Referring to claim 11, Guedalia has further taught wherein said client interface read and parses said part of said image file and requests additional data if required (Figure 4).
16. Referring to claim 12, Guedalia has further taught wherein said selecting a customization of said image comprises selecting an image resolution below the maximum resolution available for said image (Col 16 lines 45-5, zooming).
17. Referring to claim 13, Guedalia has further taught wherein said transmitting said customization comprises streaming said customization of said image to said client (Col 20 lines 46-48, steps 84-86).
18. Referring to claim 14, Guedalia has further taught wherein the size of said part is relative to the bandwidth of the connection between said server and said client interface (Col 16 lines 35-44).

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19. Referring to claim 15, Guedalia has further taught wherein said part comprises metadata comprising data selected from the group consisting of image quality data (Col 16 lines 34-44, resolution), scalability data (Col 16 lines 45-51, zooming), resolution data (Col 16 lines 34-44, resolution) and region-of-interest (ROI) data (Figure 2).
20. Referring to claims 16-24, claims 16-24 encompass the same scope of the invention as that of the claims 1-15. Therefore, claims 16-24 are rejected for the same reason as the claims 1-15.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on (703)308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang    *LW*  
October 4, 2004

*Bharat Barot*  
**BHARAT BAROT**  
**PRIMARY EXAMINER**